

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,
RICARDO GONZALES, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, INTERNATIONAL
UNION OF OPERATING ENGINEERS
LOCAL 295-295C WELFARE FUND, and
STEAMFITTERS FUND LOCAL 439, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 17-cv-2246

Judge Edmond E. Chang
Magistrate Judge Sheila Finnegan

**ORDER GRANTING THE PARTIES' JOINT MOTION TO SET A BRIEFING
SCHEDULE AND SETTING THE BRIEFING SCHEDULE**

The Court has considered the Parties' Joint Motion for Leave to Set a Briefing Schedule.

For good cause shown, **IT IS ORDERED:**

1. That the Parties' Joint Motion for Leave to Set a Briefing Schedule is **GRANTED**.
2. The deadline for Walgreens to (i) depose Dr. Hayes and (ii) take a two-hour deposition of Dr. Hilton limited to: (1) Paragraphs 13-19 and 42-44 of her rebuttal report; and (2) any new documents Dr. Hilton produces associated with her rebuttal report, including workpapers, is August 11, 2023.
3. The briefing schedule with respect to Walgreens' anticipated motion for leave to file a sur-reply and one or more sur-rebuttal reports (the Motion for Leave) is set forth as follows:
 - a. The deadline for Walgreens to file its Motion for Leave is September 14, 2023. Walgreens will file its proposed sur-reply, as well as any proposed sur-rebuttal reports, as exhibits to its Motion for Leave.
 - b. The deadline for Plaintiffs to file an opposition to Walgreens' Motion for Leave, including any motion for leave to take depositions in response to any proposed sur-rebuttal expert reports Walgreens files (absent agreement

from Walgreens for Plaintiffs to take the requested deposition(s)), is November 15, 2023.

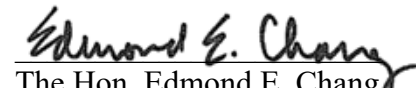
- c. The deadline for Walgreens to file a reply to its Motion for Leave, including any opposition to a motion for leave filed by Plaintiffs, is December 12, 2023.

4. The briefing schedule for the remainder of the briefing as to the Parties' pending *Daubert* motions and potential additional Motions to Exclude as to Plaintiffs' experts' rebuttal reports is set forth as follows in the chart below:

Movant	Expert Report	Mot. ECF No. where applicable and proposed date where applicable	Opp. ECF No. where applicable and proposed date where applicable	Reply proposed date
Walgreens' Motions to Exclude:	Dr. Schafermeyer	580 – filed March 17, 2023	600 – filed June 20, 2023	August 22, 2023
	Dr. Hilton	583 – filed March 17, 2023	607 – filed June 20, 2023	September 14, 2023
	Dr. Schafermeyer's Rebuttal	August 22, 2023	October 11, 2023	November 13, 2023
	Dr. Hayes's Rebuttal	September 14, 2023	November 15, 2023	December 12, 2023
	Dr. Hilton's Rebuttal	September 14, 2023	November 15, 2023	December 12, 2023
Plaintiffs' Motions to Exclude:	Dr. Hughes	604 – filed June 20, 2023	September 14, 2023	November 15, 2023
	Mr. Jacobs	605 – filed June 20, 2023	August 22, 2023	October 11, 2023
	Mr. Smith	606 – filed June 20, 2023	September 14, 2023	November 15, 2023

IT IS SO ORDERED.

Dated: 08/31/2023


The Hon. Edmond E. Chang
United States District Judge